

**REPORT - PLANNING COMMISSION MEETING
May 8, 2003**

Project Name and Number: PIETKIEWICZ ADDITION (PLN2003-00181)

Applicant: Steve Pietkiewicz

Proposal: To consider a Major Amendment to Planned District P-90-13 to allow a 2'4" encroachment into the required side yard for a two-story addition (794 square feet) to the existing residence.

Recommended Action: Approve, subject to conditions

Location: 45949 Hidden Valley Terrace (Lot 9), east of Mission Boulevard, in the Warm Springs Planning Area.

Assessor Parcel Number(s): 519-1713-009-00

Area: 0.924 acres.

Owner: Steve Pietkiewicz

Agent of Applicant: N/A

Consultant(s): Greg Munn, Design Tech Associates

Environmental Review: This project is exempt from the California Environmental Quality Act (CEQA) per Section 15301, Additions to Existing Facilities.

Existing General Plan: Very Low Density Residential (.5 to 1.5 dwelling units per acre)

Existing Zoning: P-90-13 Planned District

Existing Land Use: Existing Single-family dwelling unit

Public Hearing Notice: Public hearing notification is applicable. A total of nineteen notices were mailed to owners and occupants of property within 300 feet of the site on the following streets: Hidden Valley Terrace, Saguare Terrace and Raindance Road. The notices to owners and occupants were mailed on April 29, 2003. A Public Hearing Notice was delivered to The Argus on April 23, 2003 to be published by April 29, 2003.

Executive Summary: The applicant is requesting approval of a Planned District Major Amendment to permit an addition to encroach 2'4" beyond the Building Setback Line as identified on Tract Map 6412, for 45949 Hidden Valley Terrace. Staff recommends that the Planning Commission approve the major amendment to allow the addition to extend beyond the building setback line, subject to the conditions of approval.

Background and Previous Actions: The City Council approved P-90-13, a residential planned district for 18 custom residences in 1991. The area, which is commonly known as Hidden Valley Ranch, is situated on approximately 21 acres on the south side of Stanford Avenue, east of Mission Boulevard, in the Warm Springs Planning Area. In May 1998, Planning Commission reviewed and approved the development of the single-family dwelling unit which is located at 45949 Hidden Valley Terrace. During this approval, a Major Amendment to the Planned District was granted to allow the placement of a 1,250 square foot garage structure outside the building setback lines for the subject property.

The project site is across the street from two other lots, which received approval to build beyond the approved building setback lines. The Planning Commission approved a 9,199 square foot residence, which exceeded the identified building

envelope on Lot 14 in January 1995. The Commission also approved a 5,590 square foot residence in February 1995 on Lot 15 which exceeded its identified building envelope.

Project Description and Analysis: The applicant is requesting Planning Commission approval of a Major Amendment to Planned District P-90-13 to allow an addition to extend beyond the building setback line (refer to Enclosure "A" for illustration). The addition as currently proposed would extend 2'4" beyond the Building Setback Line, yet still meet the standard setback requirements for the Planned District. When the application was initially received, staff discussed various options with the applicant to see if the addition could be placed within the building setback lines and still be functional. Upon review, staff was advised that it was an issue of the geometry of a conventional room and shape needed to function as a dining room and the placement of furniture plus circulation space required in the proposed dining room addition. The two (2) story addition would add approximately 794 square feet to the existing 5,428 square feet existing single family dwelling unit. The proposed addition will replace an existing patio area, therefore not displacing any landscaping.

Previous research of the original tract map files, including soils and geological reports, and discussions with the original engineer who worked on the subdivision, has concluded that there was no physical reason as to why the building envelope was drawn the way it was on Lot 9. In addition, staff feels that the proposal will not create a visual impact to adjacent residences.

Architecture: The architecture style of the existing residence and proposed addition is of a Monterey Spanish motif.

- Exterior Walls – Stucco with a smooth old world finish.
- Trim and Accents – Precast stone columns and appointments.
- Windows – Wood sash with defining shapes.
- Roofing – Spanish S-tile of a concrete material.

Staff supports the architecture of the proposed two (2) story addition as it matches the existing house both in material, scale and architecture.

General Plan Conformance and Zoning Regulations: The existing General Plan land use designation for the project site is Very Low Density Residential .5 to 1.5 dwelling units per acre. The property is zoned Planned District P-90-13. The house is in conformance with the applicable General Plan and Zoning provisions.

Urban Runoff Clean water Program: The Federal Clean Water Act of 1972 and Water Quality Act (1987) require localities throughout the nation to obtain a National Pollutant Discharge Elimination System permit (NPDES) in order to discharge storm water into public waterways such as creeks, rivers, channels and bays. The applicant will comply with the City's Urban Runoff Clean Water Program in accordance with the NPDES requirements issued by the State's Water Quality Control Board.

Environmental Analysis: This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act Section 15301, Additions to Existing Facilities.

Response from Agencies and Organizations: Staff had received no outside comments at the time of publication of this report.

Enclosures: Exhibit "A" (Site Plan and Proposed Elevations)

Exhibits:	Exhibit "A"	(Site Plan and Proposed Elevations)
	Exhibit "B"	(Site Plan, Floor Plans, and Elevations stamp dated 5/14/98)
	Exhibit "C"	(Color Sample)

Recommended Actions:

1. Hold public hearing.
2. Find the project is categorically exempt from CEQA per Section 15301, Existing Facilities.
3. Approve PLN2003-00181, as shown on Exhibit "A", subject to conditions on Exhibit "B" and the Color Board shown on Exhibit "C".

Exhibit "B"
PIETKIEWICZ ADDITION- 45949 Hidden Valley Terrace (Lot 9)
CONDITIONS OF APPROVAL

Prior to Issuance of a Building Permit:

- A-1. The project shall conform to Exhibit "A" (site plan and elevations), all applicable conditions of P-90-13, P-90-13H, and all conditions of approval set forth herein.
- A-2. The applicant shall submit appropriate plans to the Development Organization for review to ensure compliance with all City codes and policies.
- A-3. Minor revisions to the floor plans and elevations may be permitted, subject to the approval of the assistant City Manager.
- A-4. The project shall conform to the City's Hazardous Fire Area Requirements as set forth in Chapter 16 of the Uniform Building Code, as amended, subject to the review and approval of staff during the development Organization review process.
- A-5. The project plan shall include erosion control measures to prevent soil, dirt, debris, or other pollutants from entering the storm drain system during and after construction. A separate plan shall be submitted for this purpose and shall be subject to review and approval of the city Engineer during the Development Organization process.
- A-6. The developer shall comply with the City's Urban Runoff Clean Water Program in accordance with the NPDES requirements issued by the states Water Quality Control Board.
- A-7. No exterior lighting shall be permitted except that which has a concealed source, subject to the review and approval of staff during the Development Organization review process.

During Construction:

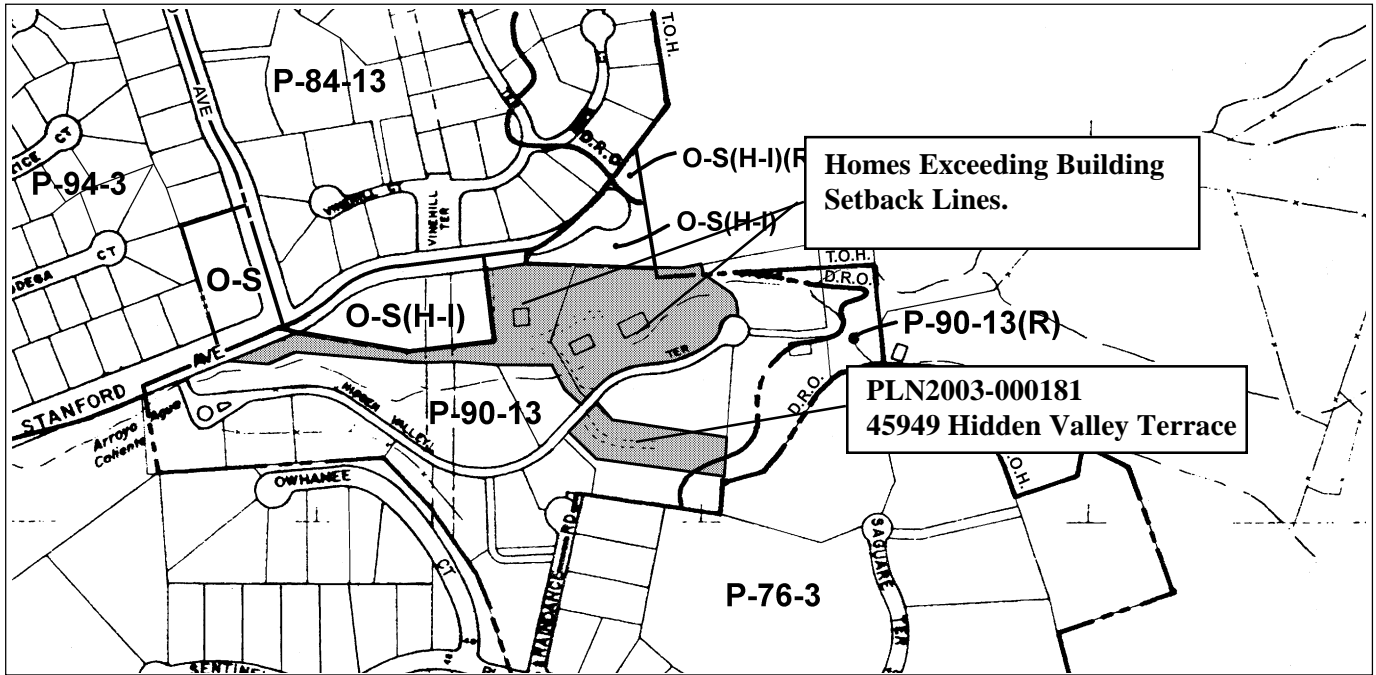
- B-1. The applicant shall be responsible for litter control and sweeping of all paved surfaces. All on-site drains shall be cleaned immediately before the start of the rainy season beginning on October 15 of each year, subject to the review and approval of the Building/Public Works Inspectors.
- B-2. The property owner shall be made aware of the educational materials on storm water pollution prevention (as furnished by the City).
- B-3. Any vehicle or equipment washing/steam cleaning shall be done at an appropriately equipped facility, which drains to the sanitary sewer. Outdoor washing shall be managed in such a way that there is no discharge of soaps, solvents, cleaning agents or other pollutants to the storm drains. Wash water shall discharge to the sanitary sewer, subject to review and approval of the Union Sanitary District.
- B-4. Construction activities shall be limited to the following hours of operation:

7:00 a.m. to 7:00 p.m. Monday through Friday
9:00 a.m. to 6:00 p.m. Saturday
No construction shall be permitted on Sunday

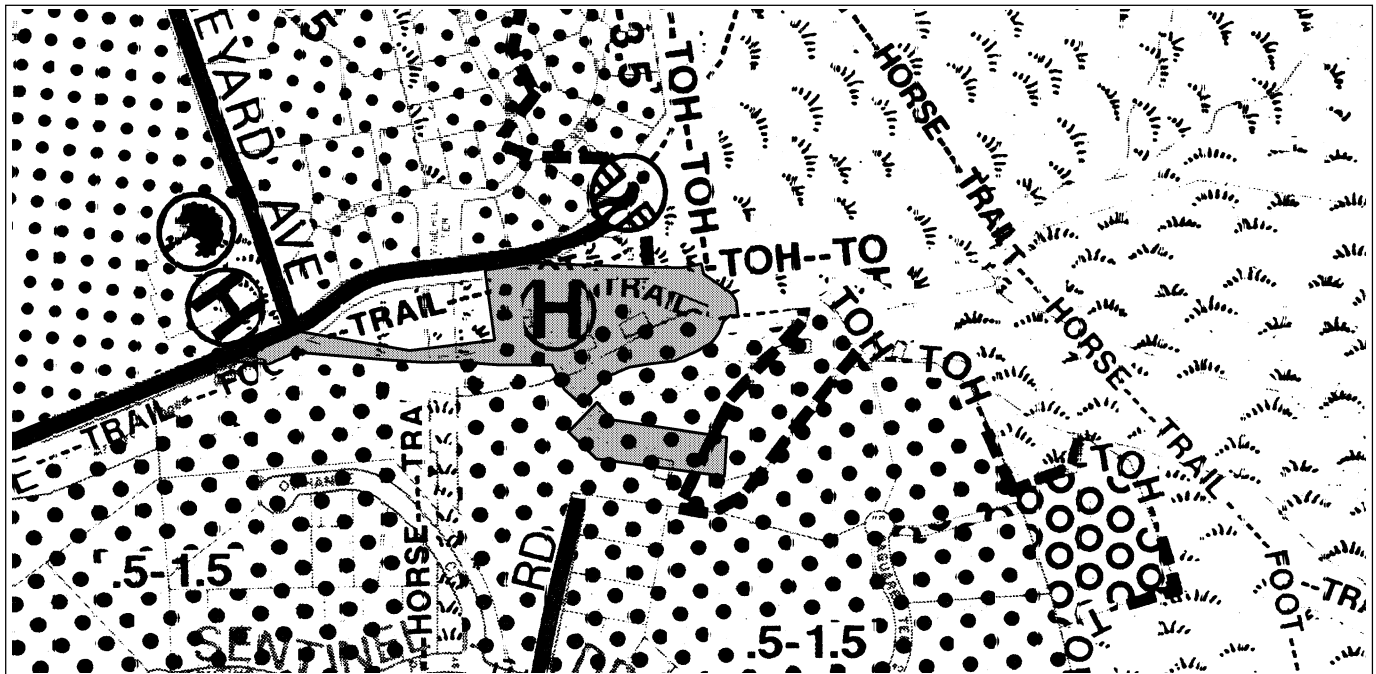
Failure to comply with the above-described hours of operation will result in withholding of inspections.

END OF CONDITIONS

INFORMATIONAL



Existing Zoning



Existing General Plan

Project Number: PLN2003-00181 (PD Major Amendment)
Project Name: PIETKIEWICZ ADDITION
Project Description: To consider a Major Amendment to Planned District to allow a 2 foot 4" encroachment into required side yard for a two story addition (794 square feet) to existing residence located in Mission San Jose Planning Area.

Note: Prior arrangements for access are not required for this site.

